

June 22, 1999

The Office of Civil Rights

17R-99-R5

RE: TITLE VI COMPLAINT AGAINST MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY (MDEQ) FOR THE ISSUANCE OF A SECOND MULTISOURCE COMMERCIAL HAZARDOUS INJECTION WELL LOCATED IN ROMULUS, MICHIGAN.

Permit Number: M-453  
Issue Date: 3/29/99  
Expiration Date: 3/29/01  
Well Name: EDS  
Well Number: 2-12  
(Permit Enclosed)

I, Deborah Ann Romak, am formally submitting a Title VI complaint (of the 1964 Civil Rights Act) which bars discrimination on the basis of race, color, or natural origin by recipients (MDEQ) of federal funding and by a 1994 executive order on environmental justice. The order requires federal agencies to make the achievement of environmental justice part of their missions to the greatest extent practicable and permitted by law. I would also respectfully request the EPA accept the complaint for a full investigation against the MDEQ for issuance of permit number M-453 for two underground injection wells based on that action. Although Title VI does not apply to your agency, EPA has drafted internal policies (which I am requesting a copy of) that area aimed at avoiding potential equity claims, and are also bound by a 1994 executive order on environmental justice. Once again, my complaint is directed at the state permit.

We the people of Romulus, Michigan, are disproportionately exposed to pollution and other environmental dangers. To reaffirm a study published by the EPA, minorities and low to moderate income populations experience higher than average exposures to environmental hazards. A long history is provided to assist in the investigation. I hope it will be most helpful.

1. There is already a Commercial Hazardous injection well in Romulus, Michigan on Wahrman Road, 500 yards from a predominately black neighborhood. The injection well, to date, has not been permanently plugged.
2. November, 1991: A state clean-up was started at a dumpsite behind Wick Elementary School. Six years later, it is still incomplete.
3. June, 1991: Superfund clean-up CIW located on Ecorse Road east of Hannan Road.

4. December, 1992: Superfund clean-up at Northline Drum Site on Northline west of Wayne Road. Contents have high levels of lead. Most recent (9 weeks) discovery, more contamination barrels, contents unknown at this time.

5. Within our city limits, there are three petroleum tank farms. A total of 16 large tanks: six tanks at Union 76 on Wick, two tanks at Sunoco on Inkster, eight tanks at Total on Citron Drive.

6. Numerous chemical manufacturers Chem-Central Oakite located 500 yards from established neighborhood.

7. North and South C&O Railroad travels through our community transporting hazardous chemicals daily.

8. North side of our city: An Act 64 hazardous facility (Michigan Recovery) adjacent to a predominately black neighborhood. 12 monitoring wells on site.

9. Our schools are recipients of Title I funding, \$1,332,000, by a Federal Grant. Funds are appropriated by the President and Senate. We qualify because we meet the criteria established. Considered to be an at risk community. Our elementary schools alone are at 49%, to qualify you must be at least 29%.

10. According to census trac, the darkened areas of the map (enclosed) identify our low to moderate income areas qualifying many for HUD (Housing Urban Development) block grant.

11. Recent study by Professor Elaine Hockman, Wayne State University: our zip code (48174) indicates we have the fifth highest cancer rate in Michigan. Although nationwide cancer rates and risk are down, the fact remains; people living in the 48174 zip code are at a higher risk than the state average.

12. Environmental Justice study by Professor Bunyon Bryant, University of Michigan, states, "Romulus clearly is an already burdened community."

13. Environmental Impact statement by FAA 1989 for Detroit Metropolitan Wayne County Airport one of the largest airports in the country, with expansion slated for 2002. Consisting of 25 square miles, citizens are impacted by Day-Night Average sound levels 65 DNL and greater. Noise levels affect over 5,000 citizens in Romulus residing in 3,830 homes. The airport has consumed 5,000 acres, lost property tax revenues (approximately 2 million dollars for removal of residents affected by noise). A 7.9 percent decrease in population from 1980 to 1990. Many residents still waiting for relief (enclosed are two noise studies). Either by sound proofing or purchasing. Noise and odor are intolerable and disruptive all hours of the day and night. Signing air easement, giving up your airspace, above the surface to noise, odors, vibrations, fumes, dust, fuel particles, and all other effects caused by aircrafts.



14. 1991: No public hearing was ordered by Tom Segal, Supervisor of Mineral Wells. Our community was denied a meaningful opportunity to participate in a public hearing before issuance of the first Mineral Well Act permit.

15. April 29, 1991: Memo by Tom Segal, Chief of Mineral Wells: "We do not have the funds nor the personnel to carry out the responsibilities. I have fears and concerns regarding commercial disposal as a lucrative business. If we cannot demonstrate that we have performed at least the minimum security checks, we will suffer severe criticism."

16. June 13, 1997: Permits are denied by MDEQ for well 1-12 and 2-12. Reason: there is not a demonstrated need for two or more well sites in this geographic area. To this day, no need has been demonstrated.

17. March 29, 1999: Permits were issued, EDS (disposal company) and MDEQ enter a formal consent and stipulation agreement, permits then issued. City of Romulus was declared an interested party by order of a judge. Was not allowed by MDEQ to be part of agreement. I believe we did not receive due process. Where is public participation?

There is no question in my mind that the people of Romulus have been disproportionately exposed to many environmental concerns. We have a right to be protected from pollution; higher than average exposures according to the EPA is a clear cause for health concerns.

A permit should not be allowed to go forward until our environmental justice concerns are fully considered under a comprehensive environmental justice plan set forth by the agency as required and directed by the President of the United States executive order and Title VI of the 1964 Civil Rights Act.

I will anxiously wait for your acceptance. If I may further assist you, please contact me at (734) (b) (6) Privacy.

Sincerely,

(b) (6) Privacy

CC: President William Clinton  
Vice President Alan Gore  
Senator Carl Levin  
Congresswoman Lynn Rivers  
Rep. John Conyers  
Rep. Ray Basham  
Phyllis Glazer